

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:
FENSTER & COMPANY
 INTELLECTUAL PROPERTY 2002 LTD.
 Attn. Fenster, Paul
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INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

Due: 10-4-04

Date of mailing (day/month/year)	05/03/2004
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Applicant's or agent's file reference 336/03502	PAYMENT DUE within 45 X 60 days from the above date of mailing
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International application No. PCT/IL 03/00503	International filing date (day/month/year) 12/06/2003
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Applicant

EXISTENT, INC.

1. This International Searching Authority

(i) considers that there are 3 (number of) inventions claimed in the international application covered by the claims indicated ~~00004~~ on the extra sheet:

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated ~~00004~~ on the extra sheet:

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14-03-2004

FENSTER & Co.

(ii) has carried out a partial international search (see Annex) will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:

1-43

(iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid

2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:

EUR 945,00	x	2	=	EUR 1,890,00
Fee per additional invention		number of additional inventions		total amount of additional fees

Or, _____ x _____ = _____

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. Claim(s) Nos. 44-47 have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer Klaus Meierewert
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1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the results of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos.:

1-43
2. This communication is not the international search report which will be established according to Article 18 and Rule 43.
3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.
4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on other parts of the international application for which such fees will have been paid.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 1 212 991 A (CORDIS CORP) 12 June 2002 (2002-06-12) paragraph '0031! – paragraph '0033! figures 4A,5 ---	1
A	US 5 607 444 A (LAM SHARON) 4 March 1997 (1997-03-04) cited in the application the whole document -----	1



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

° Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 206

Continuation of Box 3.

Claims Nos.: 44-47

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-43

A deformable medical implant comprising a body defining two anchor points, two elongate extensions, a bridge coupling at least two of said extensions and at least two hinges defined on at least one of said extensions. Method of distorting the medical implant.

2. Claims: 48-53

A catheter including an advance limiter adapted to carry a stent.

3. Claims: 54-57

A mesh stent.

The technical features of the first group of claims (claims 1-43) define an implantable anchoring element provided with a structure's distortion mechanism so that when expanded on the patient's body a portion of the device exits the device's surface plane. The medical implant provides an alternative way of anchoring itself to the patient's body.

The technical features of the second group of claims define a catheter adapted to carry a stent. The catheter comprises an advance limiter. Apparently, the advance limiter solves the problem of placing the stent in the desired place.

The technical features of the third group of claims define a mesh stent with a mesh flared section adapted to flare out to more than 90 degrees. Apparently, it increases contact with the vascular tissue providing better anchoring capacity.

Different technical features are thus claimed for solving different problems. These are so different that no technical relationship can be perceived.

This international Searching Authority consequently invites the Applicant to pay two (2) additional search fees before all the inventions in this application can be searched.

Patent Family Annex

Information on patent family members

International Application No

PCT/IL 03/00503

Patent document cited in search report	Publication date	Patent family member(s)			Publication date
EP 1212991	A 12-06-2002	US 2001001317 A1	AU 9714301 A	CA 2364725 A1	17-05-2001 13-06-2002 07-06-2002
		EP 1212991 A2	JP 2002263195 A	US 2003074054 A1	12-06-2002 17-09-2002 17-04-2003
US 5607444	A 04-03-1997	US 5868777 A			09-02-1999